

APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER

Secretary of State
1700 W. Washington Street, 7th Floor
Phoenix, AZ 85007

The undersigned intends to circulate and file an **INITIATIVE** or a **REFERENDUM** (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111, attached hereto is the full text, in no less than eight point type, of the **MEASURE** or **CONSTITUTIONAL AMENDMENT** (circle appropriate word) intended to be **INITIATED** or **REFERRED** (circle appropriate word) at the next general election.

SUMMARY: A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated.

This initiative aims to make Arizona elections more democratic by instituting ballot access reform. Proposed reforms make it easier for qualified candidates and parties to participate in elections, while instituting primary election requirements, and party viability requirements to ensure ballots aren't lengthy. As a result, participation in elections will be more fair for all concerned.

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Signature of Applicant

Emerson French

Printed Name of Applicant

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Arizonans for Ballot Access Reform

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Cynthia Elek, Treasurer

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Date of Application	April 22, 2008
Signatures Required	153,365
Deadline for Filing	July 3, 2008
Serial Number Issued	I-22-2008
FOR OFFICE USE ONLY	

CF # 200810136

OFFICIAL TITLE

**AN INITIATIVE MEASURE
AMENDING TITLE 16, CHAPTER 4, ARIZONA REVISED STATUTES BY
ADDING A NEW ARTICLE 16; RELATING TO THE ARIZONA BALLOT
ACCESS REFORM ACT**

TEXT OF PROPOSED AMENDMENT

Be it enacted by the People of Arizona:

Sec. 1-1. Short Title

This act may be cited as the "Arizona Ballot Access Reform Act".

Sec. 1-2. Intent of Legislation

This legislation provides for more democratic, open, and fair elections by allowing more qualified candidates to participate. It also ensures that elections are efficient, by requiring that primary elections be held by parties where necessary.

Sec. 2. Candidates and Parties for Election

A. Unless specified by the political party concerned, the relevant signature requirement pursuant to A.R.S. 16-322 shall have force for candidates seeking a partisan nomination, and a party's Presidential Preference election will be closed to voters without a party affiliation.

B. Any political party that (1) has no less than a statewide total of 3000 active, registered voters who are registered in at least three counties preceding the next primary or Presidential Preference election AND (2) has multiple candidates for any one office, shall be required to file a "Statement of Intent to Hold a Primary or Caucus" in order for their candidates to attain ballot status in the general election. The primary or caucus shall be held on the day appointed by the governor for such elections, and in a place designated for the conduct of elections by the County Recorder. If a party proposes to hold caucuses in private homes or other domiciles, rather than locations designated by the County Recorder, said party must attach to the Statement of Intent, a complete list of all proposed locations for elections, evidence that the proposed locations are accessible to all voters in the precinct as determined by the County Recorder, the signature or signatures of the property owners concerned, and a consent to elections inspection. Any primary or caucus held for the purpose of selecting the presidential nominee for a political party shall be held on the day allotted for Presidential Preference Elections, unless the party notifies the Secretary of State that it would prefer to participate in the next scheduled state Open Primary. Any election held on the day allotted for Presidential Preference Elections shall be considered a Presidential Preference Election. No party satisfying this section may be denied ballot status, and shall hold ballot status and recognition as a political party in this State until the Secretary of State determines, pursuant to subsection (D) that the party is no longer viable. All other parties shall have no such requirement, but must collect the number of signatures equal to the number of registered voters for the smallest party having ballot status, with no less than two percent of signing registered voters being

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registered with the petitioning party, in order to attain ballot status.

C. In the year preceding every second presidential election, all political parties that received ballot status at the last statewide general election shall be required to submit to the Secretary of State a petition for certification of viability having a number of signatures equal to no less than one and one-third percent of the total number of votes cast in the last election for governor. No less than two percent of the signatures may be from voters registered with the petitioning party. The deadline for the submission of signatures shall be the first Friday following the day that is exactly one year from the date of the next preceding presidential election. Upon receipt of all petitions, the Secretary of State shall verify the signatures, and on completion of signature verifications and counts announce the parties that shall be granted recognition and ballot status in the state, and also announce the parties that shall not be granted recognition and ballot status in the state.

D. The Statement of Intent to Hold a Primary or Caucus shall be in a form determined by the Secretary of State's office, but shall contain at minimum, the name and address of the party filing, the names of candidates who have filed to run for election, an indication of whether the party intends to hold a primary or caucus, an indication of whether the party wishes to suspend state signature requirements for candidate nomination, whether (for presidential primary or caucus elections) the election will be open or closed to voters without a party affiliation, whether the party wishes to specify a list of election locations and the signatures of the party officials filing the form on the party's behalf. If the party wishes to specify a list of elections locations they shall provide a list pursuant to subsection (C). A template for such a list shall be provided by the Secretary of State, along with a statement concerning the minimum funding required for the conduct of caucuses, and a place for a declaration as to whether the political party is able to fund the caucuses. If it is able, the party must fund the cost of holding the caucuses. At the option of the Legislature, a source of public funding may be provided for parties that are unable to fund caucus elections. Candidates for the primaries or caucuses shall also file with the Secretary of State indicating their intent to run. If the list of candidates on the Statement filed by the party does not match the candidates who have filed separately with the Secretary of State, the Secretary shall immediately inform the party and the candidate(s) concerned. The party and the candidate(s) shall then have five days from the day of receipt of the notice to rectify the discrepancy. The Statement of Intent must be filed no later than four months preceding the date of the proposed election.

E. In no case shall a primary election be held in a private domicile or other similar location, and no case shall a caucus held in a private location be held anywhere except in a domicile or other similar location belonging to a qualified elector of the state, who is registered as a member of the party holding the caucus. The laws applicable to all other elections in this state shall be coextensive with caucuses held in private locations. Candidates nominated by a caucus process shall have the same status as candidates nominated by a primary process.

Sec. 3. Falsification or Other Intentional Alteration with Respect to Statements of Intent to Hold a Primary or Caucus; Classification

Any political party that knowingly falsifies or otherwise alters any information or signatures contained on a Statement of Intent to Hold a Primary or Caucus shall be liable

for a civil penalty of at least one thousand dollars, and not to exceed a maximum to be determined by the legislature. Any person who knowingly signs such a false or altered statement is guilty of a class 1 misdemeanor.

Sec. 4. Severability

If a provision of this act or its application to any person, entity, or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

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